S.B CRIMINAL REVISION PETITION NO.806/2006
(Smt.Khatoon & Ors. vs. The State of Rajasthan & Ors.)

Date :: 12.09.2007

HON'BLE MR. JUSTICE GOPAL KRISHAN VYAS

Mr.B.K. Bhatnagar, for the petitioners.
Mr.Vishnu Kachwaha, Public Prosecutor.

Heard learned counsel for the petitioners as well as learned Public Prosecutor.

By way of filing this revision petition, petitioners are challenging the order dated 20th July, 2007 passed by learned Judicial Magistrate, Taranagar, District Churu, whereby cognizance has been taken against the petitioners and arrest warrants were issued for securing their presence.

Looking to the facts and circumstances of the case, I see no reason to interfere with the order as far as relates to taking of cognizance. The petitioners are free to raise all their grounds at the time of framing charges. However, the order with regard to issuing arrest warrants against the petitioners for securing their presence is not proper. Thus, the impugned order dated 20th July, 2006 is set aside to the extent of issuing arrest warrants against the petitioners for securing their presence. Learned trial court is directed to secure presence of the petitioners by way of issuing bailable warrants in the sum of Rs.5,000/- each.

With these directions, the criminal revision petition is disposed of. The record of the case may be sent to the trial court.

(GOPAL KRISHAN VYAS), J.

A.K. Chouhan/-